REMARKS

Claims 1 - 34 are pending in the Application. Claims 1, 2, 17, and 32 are currently amended, without acquiescence in cited basis for rejection or prejudice to pursue in a related application. Claims 33 - 34 are new. A complete listing of the current pending claims is provided below and supersedes all previous claim listing(s.) No new matter has been added.

Response to Notice of Non-Compliant Amendment

The Notice of Non-Compliant Amendment provides that "[t]he limitation 'new version of the trace' (as filed on August 3, 2005) is missing and 'the first trace' is not underlined in claim 1." Applicants respectfully disagree.

In the Amendment and Response to Office Action filed on August 01, 2005, claim 1 recites, to the extent pertinent to the current Notice, "generating a new version of the trace in a markup language syntax; and".

In the Amendment and Response to Office Action filed on December 08, 2006, claim 1 recites, to the extent pertinent to the current Notice, "generating a new version of the <u>first</u> trace in a markup language syntax; and". The above recitations of claim 1 in both Response have been properly recorded and shown on private PAIR.

Applicants respectfully submit that the claimed limitation of "new version of the trace" of claim 1 was explicitly recited in the Response to Office Action filed on December 08, 2006. Applicants further respectfully submit that the claimed limitation of "a trace" was amended to "a first trace" in the Response filed on December 08, 2006, and that the claimed limitations of "generating a new version of the <u>first</u> trace in a markup language syntax" was properly underlined as required by 37 C.F.R. § 1.121(c).

Applicants thus respectfully submit that the claim amendments as submitted in the Amendment and Response to Office Action dated December 08, 2006 comply with the requirements under 37 C.F.R. § 1.121(c) and respectfully request the Amendment and Response be entered.

35 U.S.C. § 103 Rejections

Claim 1 - 32 stand rejected under 35 U.S.C. § 103(a) for being unpatentable over U.S. Patent No. 6,598,012 issued on Jul. 22, 2003 to Berry et al. (hereinafter Berry) in view of U.S.

Patent No. 5,708,825 issued on Jan. 13, 1998 to Sotomayor (hereinafter Sotomayor.) Applicants respectfully traverse.

I.   For claim 1:

A.   Applicants first respectfully submit that Berry and Sotomayor, neither alone nor combined, disclose, teach, or suggest the claimed limitations of "converting the trace into a markup language syntax . . . ."

Applicants agree with the conclusion in the Office Action that Berry does not disclose any trace in the markup language syntax. Applicants also respectfully submit that Sotomayor does not disclose, teach, or suggest the limitation either.

Sotomayor discloses a method for scanning documents to identify key topics, creating a summary page, embedding hyperlinks from these summary pages to the locations where the key tops appear in the presentation pages. **Abstract** and **col. 4, ll. 12-48**. That is, Sotomayor identifies some things (the key topics) and then creates hyperlinks from a summary page to these things (key topics). More importantly, Sotomayor creates hyperlinks between the key topics only when "*the same key topic* appears at several places." **Col. 4, ll. 12-21**. That is, Sotomayor's creates hyperlinks between the summary pages and the documents containing the key topics of interest. The only instance where Sotomayor creates hyperlinks between key topics is when the key topics are the _same_. This is not, however, the claimed limitations of claim 1. Claim 1 recites the limitation of a trace being capable of navigating to one or more second traces. It is known in the art that no two traces for the execution of a program may be the same otherwise such traces would be unable to precisely indicate what went wrong with the execution of the program and thus defeat their own purposes. On the other hand, Sotomayor merely discloses creating hyperlinks either between a summary page and key topics, which is outside the context of claim 1, or between key topics ONLY when the key topics are the _same_ yet appear in several places. As such, it is undesirable or even impossible to combine Berry and Sotomayor because no two traces for the execution of a program are the same.

As such, Applicants respectfully submit that the combined teaching of Berry and Sotomayor does not disclose, teach, or suggest at least the above claimed limitation of claim 1.

B.   The Office cites to **col. 27, ll. 1-8** of Berry and concludes that the cited passages disclose, teach, or suggest the claimed limitations of "storing the trace . . . in a computer readable medium, the trace . . . capable of navigating to a second trace log.

Applicants further respectfully ask the Examiner to clarify how this cited disclosure of Berry is related to the above claimed limitations. According to the cited language in the Office Action, Applicants believe that the Office Action was referring to col. 27, ll. 54-65 which contain the language cited in the Office Action. However, col. 27, ll. 54-65 discloses that Berry's method is "capable of being distributed in the form of a computer readable medium," and the "examples of computer readable media include . . . transmission type media such as digital and analog communications links." As such the cited passages merely disclose a computer readable medium but is silent on traces capable of navigating to a second trace log.

Applicants actually requested a telephonic interview which the Examiner was unable to grant before the three-month date. Should the Examiner was actually referring to other passages of Berry, Applicants respectfully ask the Examiner to point to the pertinent sections so Applicants may respond properly.

C.   Applicants respectfully submit that Berry does not and cannot disclose, teach, or suggest simultaneously analyzing more than one trace text file.

Applicants first note that it may be necessary to clarify the terminology used in Berry and claim 1 of the instant invention. In Berry, the trace information for each process, module, subroutine, method, function, or system component is first stored in the buffer and is subsequently written to a "trace text file" or "trace file" either when the buffer is full or when tracing is finished. **Col. 3, ll. 26 - 28, col. 9, ll. 56 - 58, and col. 10, ll. 41 - 45**. In claim 1 of the instant invention, the trace log comprises traces.

Therefore, Applicants respectfully submit that Berry, in order to achieve its intended purpose, does not simultaneously analyze two or more trace logs to identify corresponding traces during parsing.

D.   Furthermore, Applicants respectfully submit that there is no motivation to combine the two references.

Berry discloses a method in the debugging and diagnosing software execution context. Sotomayor disclose a method for creating summary pages containing hyperlinks to other sources of information. The former involves extensive compiling and executing the software code while the latter primarily involves the interpretation of markup language tags.

More importantly, since in the markup language context, where the markup language code which represents a summary or representation page as in Sotomayor contains some errors, such errors will be interpreted incorrectly and are typically visually presented to the designer. That is, the designer need not rely upon the so called "debugging" tools that generate traces in order to identify the problematic areas in the markup language source code.

As such, Applicants respectfully submit that there is no motion to combine the two references.

II.   For claim 2:

The Office Action cites to element 614 of Fig. 6 of Berry and concludes that the cited figure / element disclose the claimed limitations. Applicants respectfully disagree.

Fig. 6 of Berry discloses a method of starting tracing by turning on trace hooks (602 and 604), receiving tracing data (606), storing trace data in buffer (608), sending buffer contents to file (612), and then generating a post-processing report (614). Step 614 is merely concerning generating a post-processing report. Neither **Fig. 6** nor the relevant text in **col. 11, ll. 18-50** discloses that the generating report step is based upon any results of any parsing step, and parsing is not disclosed and not needed for the step 614. Claim 2 is currently amended to clarify the claim language.

As such, Applicants respectfully submit that the rejection based upon the cited passages and figure is improper.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. **50-4047,** referencing billing number **7011402001**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. **50-4047,** referencing billing number **7011402001**.

Respectfully submitted,

Bingham McCutchen LLP

Dated: June 06, 2007   By: _____

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